



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application Number: # 13310-00000-00542

Date Received: 25 JULY 2013

Commission/Civic: GERMAN VILLAGE

Existing Zoning: _____ Application Accepted by: _____

Comments: _____

PAID
JUL 25 2013

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

BUILDING & ZONING SERVICES

Indicate what the proposal is and list applicable code sections.

The construction of a new 1-story, attached, wood frame garage in the location of an existing 1-story detached, wood framed garage. The existing property, and thus the new construction, do not comply with sections 3332.27 - Rear Yard (23.6% vs. 25%) and 3332.26 - Minimum Side Yard (1.5' vs. 5')

LOCATION

1. Certified Address Number and Street Name 724 Macon Alley

City Columbus State Ohio Zip 43206

Parcel Number (only one required) 010054336

APPLICANT: (IF DIFFERENT FROM OWNER)

Name James D. Plunkett

Address 525 S. Lazelle St. City/State Columbus / Ohio Zip 43206

Phone # 614.530.0697 Fax # 614.785.0202 Email dplunkett@daviswince.com

PROPERTY OWNER(S):

Name Jennifer L. Arthur

Address 724 Macon Alley City/State Columbus / Ohio Zip 43206

Phone # 614.264.6554 Fax # _____ Email arthur.jennifer@att.net

☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☒ Agent

Name James D. Plunkett

Address 525 S. Lazelle St. City/State Columbus / Ohio Zip 43206

Phone # 614.530.0697 Fax # 614.785.0202 Email: dplunkett@daviswince.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE _____

PROPERTY OWNER SIGNATURE _____

ATTORNEY / AGENT SIGNATURE _____

PLEASE NOTE: incomplete information will result in the rejection of this submittal.

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Please make all checks payable to the Columbus City Treasurer



13310-00000-00542
724 MACON ALLEY

CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Thu Aug 1 2013

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 724 MACON ALY COLUMBUS, OH

Mailing Address: 724 MACON ALY
724 MACON ALY

Owner: ARTHUR JENNIFER L TR

Parcel Number: 010054336

ZONING INFORMATION

Zoning: Z72-055, Residential, R2F
effective 6/21/1972, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: German Village Area Commission

Planning Overlay: N/A

Historic District: German Village

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

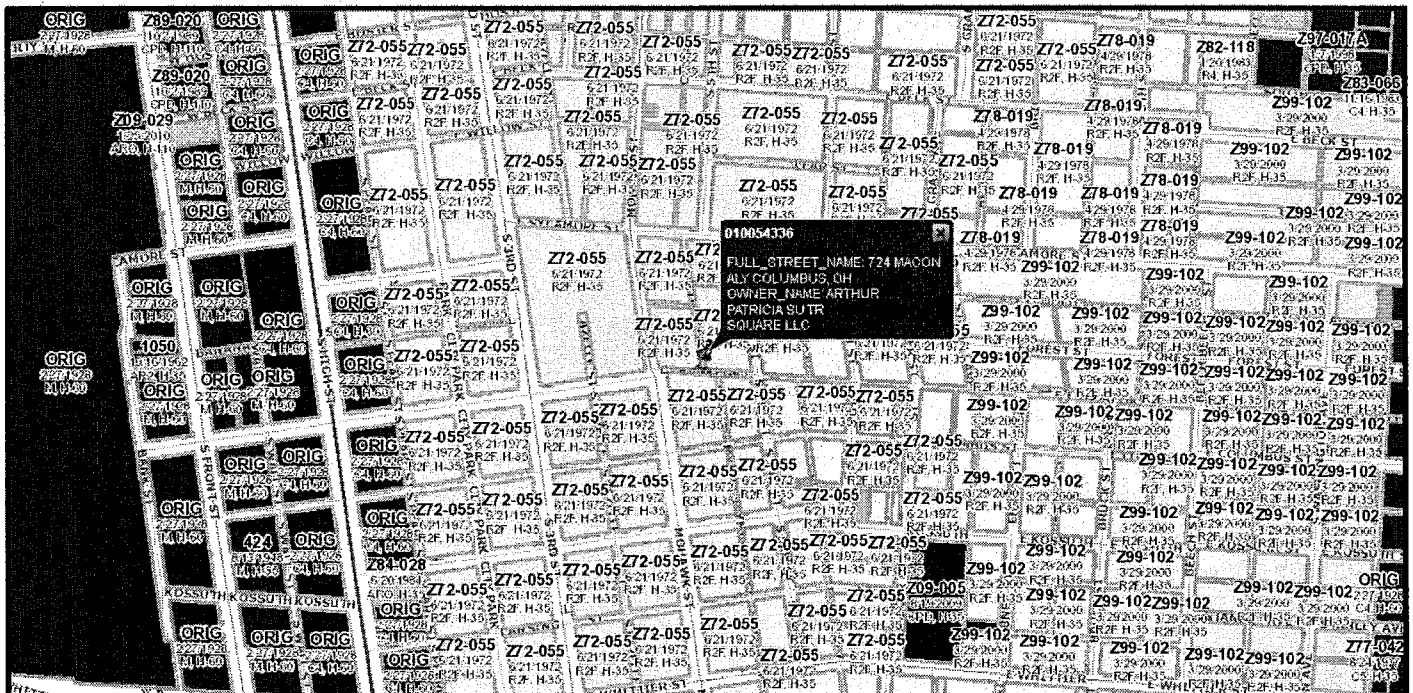
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





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AFFIDAVIT

13310-00000-00542

724 MACON ALLEY

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME James David Plunkett
of (1) MAILING ADDRESS 525 S. Lazelle St., Columbus, Ohio 43206
deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the
name(s) and mailing address(es) of all the owners of record of the property located at
(2) per ADDRESS CARD FOR PROPERTY
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building
and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Jennifer L. Arthur
724 Macon Alley, Columbus, Ohio 43206

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

James D. Plunkett
614-530-0697

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) German Village Commisson
Cristin A. Moody, Historic Preservation Office
109 N. Front St., Ground Flr., Columbus, Ohio 43215

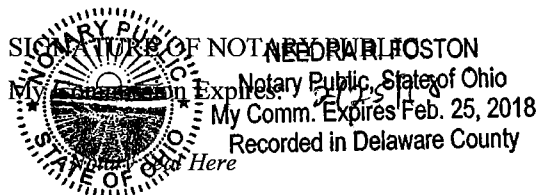
and that the following is a list of the **names and complete mailing addresses**, including **zip codes**, as shown on the **County Auditor's Current Tax List or the County Treasurer's Mailing List**, of all the **owners of record of property within 125 feet** of the exterior boundaries of the property for which the application was filed, **and** all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

☒ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 25th day of July, in the year 2013



(8)

Rebecca R. Paster

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STATEMENT OF HARDSHIP

13310-00000-00542

724 MACON ALLEY

APPLICATION # 13310-0-00542

3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
 2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
 3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
 4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

The owner is seeking variances to sections 3332.26 - Minimum Side Yard Permitted and 3332.27 - Rear Yard for the replacement of an existing, non-compliant, detached 1-story wood framed garage with a new attached 1-story wood framed garage in the approximate location of the existing garage. :

1) The existing home is non-compliant with regards to sections 3332.26 and 3332.27 of the zoning code. This is a common condition in the area; however, unlike most construction in the area, the proposed addition will not increase the severity of the existing infractions. The proposed construction will increase the side and rear yards compared to the existing, but it is not practical to increase them enough to meet the requirements of the code.

2) The existing construction was non-compliant when the owner purchased the property in 2011 and it has not been changed since.

3) The existing garage is in very poor condition, it has detached from its foundation and is in danger of structural failure. Future use of the garage is dependent on its replacement. In addition, the German Village historic district was built before modern zoning codes and many, if not most, of the properties do not comply with the side and rear yard requirements of the zoning code. This application is asking for conditions that exist commonly with the neighborhood.

4) The proposed addition will improve upon the existing conditions with regard to sections 3332.26 & 3332.27. The proposed addition will minimally provide more side yard and rear yard than the existing. In addition the construction of the garage adjacent to the property line will be 1-hour fire rated.

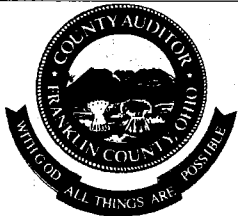
Signature of Applicant

Date 7/22/2013

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CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C

DATE: 6/26/13



Disclaimer

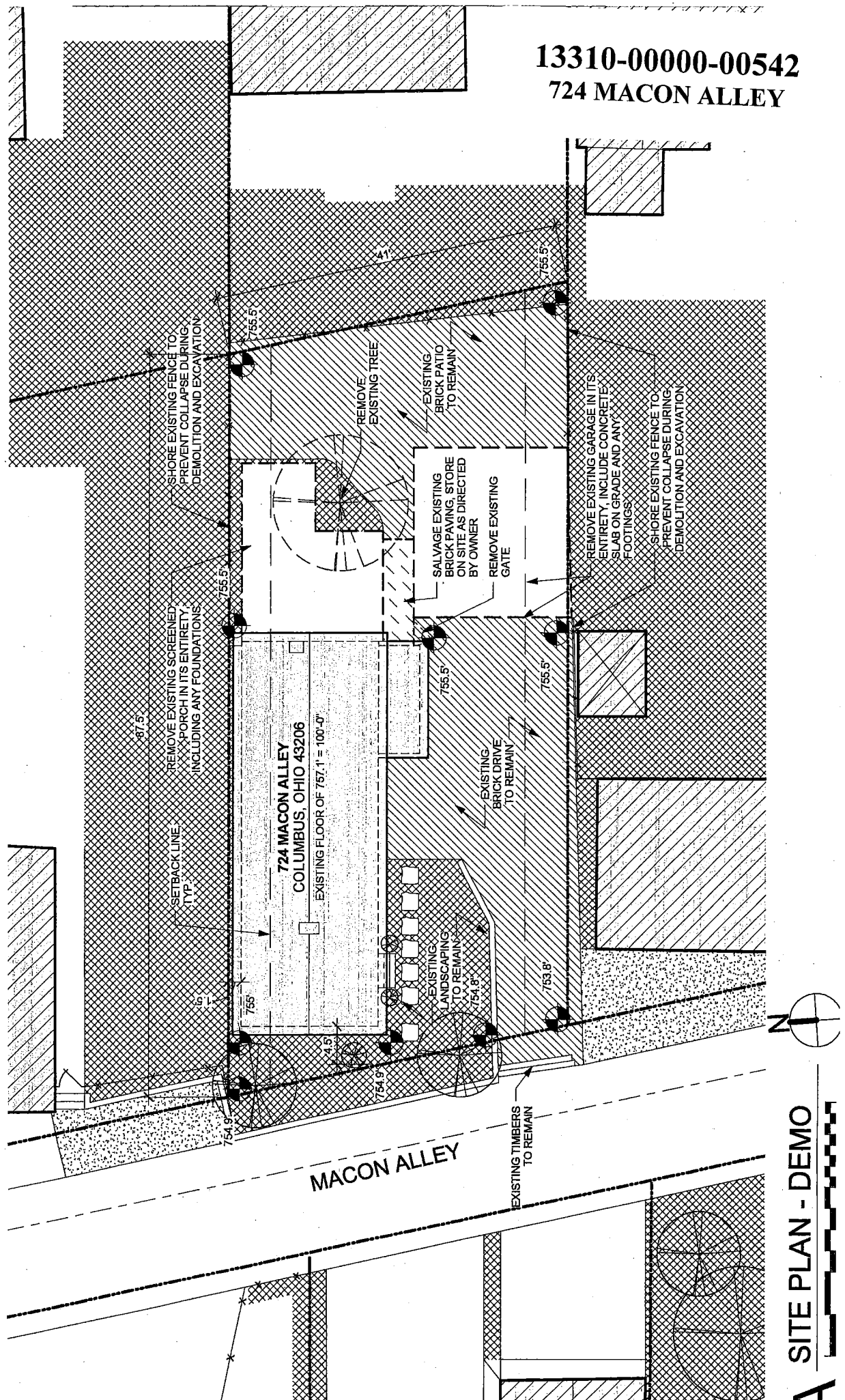
Scale = 30



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

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SITE PLAN - DEMO



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PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #

13310-00000-00542

STATE OF OHIO
COUNTY OF FRANKLIN

724 MACON ALLEY

Being first duly cautioned and sworn (NAME) James D. Plunkett

of (COMPLETE ADDRESS) 525 S. Lazelle St., Columbus, Ohio 43206

deposes and states that (he/she) is the APPLICANT, AGENT OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

Jennifer L. Arthur

724 Macon Alley, Columbus, Ohio 43206

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 25th day of July, in the year 2013

SIGNATURE OF NOTARY PUBLIC

Needra R. Foston

My Commission Expires:

2/25/18

Notary Seal Here



NEEDRA R. FOSTON
Notary Public, State of Ohio
My Comm. Expires Feb. 25, 2018
Recorded in Delaware County

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